

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LATOYA BROWN; et al

PLAINTIFFS

v.

Civ. No. 3:17cv347-WHB-LRA

MADISON COUNTY, MISSISSIPPI; et al

DEFENDANTS

UNOPPOSED MOTION FOR SCHEDULING ORDER

Defendants respectfully submit this Unopposed Motion for scheduling order regarding the briefing schedule for Plaintiffs' Motion to Exclude the Report and Testimony of William Funderburk [ECF No. 307], filed July 2, 2018. In support of this Motion, Defendants submit the following:

1. On February 27, 2018, the Court entered a Stipulated Scheduling Order (the "February 27 Order") [ECF No. 202] establishing a briefing schedule for class certification.
2. On March 13, 2018, Plaintiffs filed their Motion for Certification [ECF No. 231] and Defendants filed their Motion to Deny Certification. [ECF No. 237]
3. On May 8, 2018, Defendants filed their Response in Opposition to Class Certification [ECF No. 231] and related evidentiary motions. Plaintiffs filed their Response in Opposition to Defendants' Motion to Deny Certification. [ECF No. 265]
4. On May 18, 2018, the Court entered a second Stipulated Scheduling Order establishing briefing schedules for motions not specifically addressed in the February 27 Order. [ECF No. 288]
5. On July 2, 2018, Plaintiffs filed their Response in Further Support of Class Certification and their last remaining responses in opposition to Defendants' evidentiary motions.

This same day Plaintiffs filed a Motion to Exclude the Report and Testimony of William R. Funderburk. [ECF No. 307]

6. Defendants requested, and Plaintiffs agreed, to extend the deadline for response and rebuttal periods related to the Motion to Exclude William R. Funderburk.

7. Pursuant to that agreement, Defendants response to Plaintiffs' Motions to Exclude William R. Funderburk shall be due on July 30, 2018. The Parties further agree that Plaintiffs' rebuttal with respect to that Motion shall be due on August 17, 2018.

8. Defendants now submit that good cause exists for entry of the Agreed Stipulated Scheduling Order, reflecting the foregoing agreement, in the form attached hereto as **Exhibit 1**. Defendants respectfully request that the Court approve and enter this Agreed Scheduling Order as an Order of the Court.

May 17, 2018

**MADISON COUNTY, MISSISSIPPI and
SHERIFF RANDALL C. TUCKER, IN
HIS OFFICIAL CAPACITY**

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CERTIFICATE OF SERVICE

I, T. Russell Nobile, hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following:

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July 15, 2018

/s/ T. Russell Nobile

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PLAINTIFFS

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Civ. No. 3:17cv347-WHB-LRA

MADISON COUNTY, MISSISSIPPI; et al

DEFENDANTS

**AGREED SCHEDULING ORDER REGARDING
MOTION TO EXCLUDE WILLIAM R. FUNDERBURK**

Defendants respectfully submit this Agreed Scheduling Order memorializing the terms of the Parties' agreement related to Plaintiffs' Motion to Exclude William R. Funderburk [ECF No. 307]. Subject to the approval of the Court, the following schedule shall apply with respect to that Motion:

1. The deadline for Defendants to respond to Plaintiffs' Motion to Exclude William R. Funderburk [ECF No. 307] shall be **July 30, 2018**. The deadline for Plaintiffs' rebuttal or response in further support with respect to that same Motion shall be **August 17, 2018**.
2. Except as set forth herein, all other scheduling orders in this Action remain in full effect.

So Ordered, this _____ day of _____.

District Judge William H. Barbour, Jr